

**IN THE UNITED STATES
BANKRUPTCY COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**SUSAN S. DEPAOLA, CHAPTER
7 TRUSTEE FOR THE
BANKRUPTCY ESTATE OF
PHILIP L. GOODWYN AND
SIMPLE PLEASURES, INC.,**

PLAINTIFFS,

V

**V. RESTAURANTS, INC., AND
VINCE SAELE,**

DEFENDANTS.

CASE NO.: 2:06-CV-00893-WKW

**(BANKRUPTCY CASE NO. 05-
32325-CHAPTER 7)**

**(BANKRUPTCY ADV. PRO. NO.
05-03062-WRS)**

PRETRIAL DISCLOSURES

COME NOW Vince Saele and V Restaurants, Inc., defendants in the above styled matter, by and through their attorney of record, and makes the following pretrial disclosures pursuant to Rule 26(a)(3), Federal rules of Civil Procedure.

(A) Witnesses Expected to be called at trial:

Vince Saele
5040 Vaughn Road
Montgomery, Alabama 36116

Robert Russell
Parnell & Crum
641 S Lawrence St
Montgomery, Alabama 36104

Ed Fatzinger
2835 Zelda Road
Montgomery, Alabama 36106

Phillip Goodwyn
1533 Gilmer Avenue
Montgomery, Alabama 36106

Witnesses are expected to testify to the facts and circumstances surrounding the acquisition of Gators Restaurant from the Plaintiffs by the Defendants. Mr. Russell is expected to testify to the facts and circumstances surrounding the proposed sales transaction. Defendants reserves the right to call as a witness any individual identified by any other party to these proceedings.

(B) Witnesses whose testimony may be presented by deposition:

Vince Saele

(C) Exhibits

All documents appended as exhibits to previously filed Motions for Summary Judgment will be used at trial.

All documents produced in response to plaintiff's Request for Production in this case.

All depositions of any witness taken in this case.

Correspondence and notes that remained on the computer left at Gator's Restaurant following the departure of the plaintiff.

RESPECTFULLY SUBMITTED this the 14th day of February, 2007.

/s/ Daniel G. Hamm

DANIEL G. HAMM (HAM043)
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CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of this Pretrial Disclosures by electronic transmission or by placing a copy in the United States Mail with sufficient postage for first class delivery to the attorneys named below or parties if not represented by counsel.

DONE this the 14th day of February, 2007.

/s/ **Daniel G. Hamm**

DANIEL G. HAMM (HAM043)
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